

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Dino N. Theodore,
Plaintiff

v.

Civil No. 08-cv-343-SM

327 South Broadway, LLC,
Defendant

O R D E R

Re: (Document No. 16) Motion for Leave to Withdraw

Ruling: Denied. The motion does not directly address what might (or might not) qualify as adequate grounds upon which to permit withdrawal at this stage of the litigation. See generally Gibbs v. Lappies, 828 F.Supp. 6 (D.N.H. 1993). Indeed, the motion suggests that if counsel were to withdraw, the client will be materially prejudiced. The motion does, however, raise potentially dispositive issues in that the circumstances described suggest that the claims made by plaintiff might be moot. The plaintiff shall show cause, by legal memorandum, filed within 30 days of the date of this order, why the complaint seeking prospective and discretionary equitable relief should not be dismissed as moot. So ordered.



Steven J. McAuliffe
Chief Judge

June 18, 2009

cc: Nicholas S. Guerrera, Esq.
Jennifer T. Beaudet, Esq.
Thomas J. Pappas, Esq.